

CRM-M-40909-2018

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

219

CRM-M-40909-2018

Date of decision :19th December, 2018

SURAJBHAN

.....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MRS. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Preetinder S.Ahluwalia, Advocate
for the petitioner.

Mr. R.K. Makkad, DAG, Haryana.

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RAJ SHEKHAR ATTRI, J (ORAL)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.672 dated 06.07.2018 registered for the offences punishable under Sections 20, 29 of NDPS Act, 1985 at Police Station Thanesar City, District Kurukshetra.

Heard.

Learned counsel for petitioner submits that the petitioner was nominated as an co-accused on the basis of the secret information which is not admissible in evidence and he was arrested on 06.07.2018. He was arrested on the disclosure statement suffered by another co-accused-Sheela Devi. However nothing has been recovered from the petitioner thereof and even there is no supporting and independent evidence against the petitioner

that he went to supply ganja to another co-accused-Sheela Devi.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Surajbhan is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

(RAJ SHEKHAR ATTRI)
JUDGE

19.12.2018
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No